

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>United States of America vs Articles of food consisting of a commingled lot of approximately 1,179 cans of soup bearing the Wolferman label, consisting of vichyssoise potato and leek, beef consomme jellied, black bean with sherry, chicken broth condensed, chicken broth with rice, chicken broth with noodles, chicken consomme New England style, clam chowder, consomme madrilene, onion soup with sherry wine, chicken a-la-king and Welsh rarebit; and approximately 91 cans of various kinds of soups bearing the Bon Vivant label, including shrimp bisque, mushroom soup, consomme jellied and others in 13-ounce and other size cans, of which the following are representative labels: (can)"Wolferman's ---Vichyssoise Potato and Leek---Distributed by Fred Wolferman, Inc., Kansas City, Mo.---" or (can) "Bon Vivant --- Shrimp Bisque --- packed by Bon Vivant Soups, Inc., Newark, N. J. - - -"</p>	<p>For plaintiff: Robert P. Santee For defendant: Crawford Rizley & Prichard 1414 First National Building Tulsa, Oklahoma 74103 Blackwell Sanders Matheny Weary & Lombardi 1600 Federal Reserve Bank Building Kansas City, Missouri 64106</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 10-1-71	Clerk				
J.S. 6 mailed 9-1-73	Marshal				
Basis of Action: condemnation of food	Docket fee				
Action arose at:	Witness fees				
Tulsa	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-7-71	Complaint filed and summons issued. ds	
9-9-71	Summons, ret. & filed: served Fred Wolferman, Inc., Tulsa, Ok. 9-8-71. (USM \$3.96)g	
9-16-71	Notice of warrant for arrest of property, filed. ds	
9-15-71	Order for warrant of arrest of property and for notice, filed. Warrant issued. (AEB-J) v	
9-17-71	Return on U.S. Marshals Service, Warrant for Arrest, filed. Served Fred Wolferman, Inc., by serving James LeGer, Manager, in Tulsa on 9-16-71 with fees of \$4.20. v	
9-23-71	Defendant's answer, filed. ds	
9-24-71	Claim of Fred Wolferman, Inc. filed. ds	
9-27-71	Proof of publication, filed. m	
10-14-71	Motion of Claimant, Fred Wolferman, Inc., for Discovery, filed. v	
10-14-71	Suggestions in support of motion for discovery, filed. v	
10-14-71	Order by the Court that Plaintiff is grnated 10 days from this date to respond to Claimant's Motion for discovery. (AEB-J) v	
10-27-71	Order by the Court that Plaintiff is granted 10 days from the 24th October 1971 to respond to Claimant's Motion for Discovery, filed. js (AEB-J). js	
11-2-71	Plaintiff's response to motion for discovery, filed. ds	
12-8-71	Consent order, filed. (AEB-J)m	
6-12-72	Parties directed to hold pre-trial prior to 7-24-72 and file pre-trial order not later than 7-31-72. (AEB-J)hm	
7-31-72	Motion of the Plaintiff for extension of time to submit approved pretrial order, filed. v <i>order to be filed 8-1-72</i> -with Brief in support.	
8-7-72	Order granting pltf. to 8/15/72 to file approved PT order. (AEB-J)rm-copies mailed	
8-16-72	Pre-Trial Order, filed. rm	
9-18-72	Case set for Non/Jury trial on Wed. Oct. 11, 1972 at 10:00am. (AEB-J)h	
9-27-72	Joint motion for continuance, filed. rm - Order to J.	
9-27-72	Case stricken from n/j docket of Oct. 11, 1972 to be reset at later date. (AEB-J)h	
1-26-73	Ordered by the Court that this Case is set for Non-Jury Trial on February 6, 1973, at 10:00 A.M. (AEB-J)v -notices mailed.	
1-31-73	Application to strike from non-jury trial for 2-6-73, filed. jj <i>order to Judge</i>	
2-1-73	Order, filed, that case is stricken from non-jury trial of 2-6-73. (AEB-J)hm (copies mailed)	
7-16-73	Voluntary withdrawal of claim filed by Fred Wolferman, Inc., h	
7-16-73	Voluntary withdrawal of answer filed by Fred Wolferman, Inc., h	
7-27-73	Case set for non-jury trial 9-5-73 at 10:00 a.m. (AEB-J)jj	
8-13-73	Appl. for Default Decree of Condemnation, filed by U.S.A. v <i>leave to Judge</i>	
8-14-73	Default decree of condemnation, filed and entered, that articles seized are condemned and forfeited to US & US Marshal directed to forthwith destroy seized articles & make return to this Court. (AEB-J)hm (copies mailed & c/c to USM)	
8-16-73	US Marshal's return, filed; took custody of soups at Tulsa, Ok. and destroyed by dumping in City dump, Claremore, Ok. (\$10.04)g	